

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 224 of 2018**

- Rakesh Katjhor S/o R. L. Katjhor, Aged About 39 Years R/o Aditya Nagar, Durg Tahsil And District Durg Chhattisgarh

----Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Kotwali Durg District Durg Chhattisgarh

---- Respondent

And**MCRCA No. 299 of 2018**

- Manish Katjhor S/o Shri R. L. Katjhor Aged About 34 Years R/o M. I. G. 1087, Aditya Nagar, Durg Tehsil And District Durg Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through District Magistrate, District Durg Chhattisgarh

---- Respondent

For Respective Applicants : Shri B.P. Singh and Shri Praveen
Dhurandhar, Advocates

For Respondent-State : Shri Sangharsh Pandey, Dy. GA for the
State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****01/05/2018**

1. Both these anticipatory bail applications are decided together as they are arising out of the same crime number.
2. These applications under Section 438 of the Code of Criminal Procedure

has been filed by the applicants apprehending their arrest in connection with Crime No.734/2016 registered at Police Station Durg, District Durg (C.G.) for the offence punishable under Sections 420, 120-B, 34 IPC.

3. As per the prosecution case, one report was made by Praveen Mishra alleging that he has purchased a land from Godavari Bai in the year 2010 at the instance of the present applicants and others and thereafter Praveen Mishra sold the land to one Aditya Prakash on 13.07.2015. Subsequently, when Aditya Prakash made enquiry, it revealed that original land which was purchased by Praveen Mishra, do not exist at all, therefore, it is alleged that the present applicants along with the other have committed the offence of forgery.
4. Learned counsel for the applicants submit that the applicants have been falsely implicated in this case and if at all any fraud is played, it was by Godavari Bai and the applicants are only the brokers and have not played any role. They further submit that the similarly placed co-accused Sunil Kumar has been given the benefit of anticipatory bail in MCRCA No.1006/2017 on 03.01.2018, therefore, the applicants may also be given the benefit of anticipatory bail.
5. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail.
6. Perused the case-diary documents and also the order of the co-ordinate Bench in MCRCA No.1006/2017. Considering the same as also the role played the applicants, I am inclined to allow this anticipatory bail application.
7. Accordingly, both the anticipatory bail applications are allowed and it is directed that in the event of arrest of the applicants, they shall be released on anticipatory bail on each of them executing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the

arresting officer with the following conditions:-

- (i) that the applicants shall make themselves available for interrogation before the investigation officer as and when required;
- (ii) that the applicants shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-

Goutam Bhaduri
Judge

Ashu